

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
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UNITED STATES GOVERNMENT

## Memorandum

TO : Mr. Mohr

FROM : C. D. DeLoach

SUBJECT: PROFESSOR MONROE HENRY FREEDMAN  
LAW SCHOOL  
GEORGE WASHINGTON UNIVERSITY

DATE: May 10, 1961

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Former Assistant Director Tracy called and spoke to Kemper on May 5, 1961.

Tracy said that he wanted to pass on the information that he had learned that Freedman had put on a forthcoming agenda of a Law School faculty meeting the subject, "Discrimination by Race, Creed and Color--Law School Fraternities." Tracy said that apparently this is aimed at the Law School Fraternity particularly in regard to Jewish matters. Tracy further stated that he had received some rumors that Freedman in private conversations had been highly critical of the Bureau. Tracy said that he is trying to trace it down and get some specifics. When he does he will let us know. We will follow Tracy in regard to this matter.

INFORMATION IN BUFILES RE FREEDMAN:

Bufiles reflect that we have never conducted an investigation on Freedman; however, it is noted on a Government employment application, he admits that he was a member of the National Lawyers Guild but withdrew when he learned it was a communist front. He also listed on his application that he was a member of the National Association for the Advancement of Colored People.

RECOMMENDATION:

That we follow with Tracy concerning the alleged critical remarks of the Bureau.

1 - Mr. Jones

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UNITED STATES GOVERNMENT

## Memorandum

TO : Mr. DeLoach

DATE: 3-19-63

FROM : M. A. Jones

SUBJECT: MONROE HENRY FREEDMAN  
ASSOCIATE LAW PROFESSOR  
GEORGE WASHINGTON UNIVERSITYBACKGROUND:

In an article appearing in "The Washington Post" on March 18, 1963, it was reported that Monroe H. Freedman, a George Washington University law professor, spoke at Howard University on March 17, 1963. It was reported that Freedman assailed Negro leaders for failing to take a stand on civil liberty issues when they do not directly involve race relations. He urged Negro leaders to protest violations of civil liberties "regardless of whether he is personally injured." He singled out opposition in the Negro community here to the Supreme Court's ruling last year against an officially prescribed prayer in public schools as an illustration of the Negro's "betrayal" of civil rights.

He extended this criticism to the failure of Negro civil rights leaders to aid in cases where persons have been prosecuted for selling what police called obscene literature. He said the same leaders "did not support those accused of publicly attacking the Jewish or Catholic communities or for holding meetings, not advocating violence, under Communist Party sponsorship."

The article stated that Freedman was a consultant to the U. S. Civil Rights Commission. He criticized the District Recreation Department in 1961 for sponsoring Christmas parties on local playgrounds because they "violate the principle of separation of church and state."

INFORMATION IN BUFILES:

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by Letter 3-15-75  
Per FOIA Request

On May 10, 1961, former Assistant Director Tracy advised that Monroe Henry Freedman put on the agenda of a George Washington University Law School faculty meeting the subject "Discrimination by Race, Creed and Color--Law School Fraternities." Tracy advised that he had received some rumors that Freedman, in private conversations, had been highly critical of the Bureau.

ENCLOSURE  
On May 27, 1960, Monroe Henry Freedman submitted an application to the Civil Rights Commission. On this application, he indicated he was a

1 - Mr. DeLoach

J. DeLoach

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M. A. Jones to DeLoach  
Re: MONROE HENRY FREEDMAN

consulting attorney for the American Civil Liberties Union. He reported membership in the National Association for Advancement of Colored People and in the National Lawyers Guild from 1954 to 1956. In reference to the National Lawyers Guild, he pointed out that he did not have time to participate actively as a member of the Guild. He stated that in 1956 he received information, from a source that he considered to be reliable, that the Guild was communist dominated and he immediately terminated his membership.

He listed his date of birth as April 10, 1928, and received a law degree from Harvard Law School in 1958. In 1958 he was employed at the George Washington University Law School as an Assistant Professor of Law and from January to July of 1959 he was employed by Senator John L. McClellan as a consultant concerning Labor Reform Legislation.

On January 7, 1959, Senator McClellan advised that he was considering hiring Freedman to assist him in conducting legal research concerning the labor racketeering field. Senator McClellan stated that Freedman had been recommended to him by Dean Griswold of Harvard. The Senator was informed that in 1953 Freedman received the National Lawyers Guild quarterly publication "The Lawyers Guild Review." Senator McClellan was also advised that several matters had been brought out publicly in reference to Dean Griswold. Griswold had been interested in the trial of Alger Hiss and had opposed the House Un-American Activities Committee in 1948. Griswold had also been active in the defense of the Harvard Lawyers Guild in 1951 and this organization was affiliated with the National Lawyers Guild. In a Bureau case entitled "National Lawyers Guild, IS-C," it was reported in 1954 and 1956 that Monroe H. Freedman, Cambridge, Massachusetts, was on the National Lawyers Guild mailing list.

In a case entitled UNSUB; Monroe Henry Freedman - Victim, Possible Extortion Matter, it was reported that Freedman received two abusive letters and several abusive telephone calls which he believed were the result of his protest against use of public park facilities for Christmas holiday activities. Prosecution was declined and the AUSA stated that this matter should be handled by postal authorities.

RECOMMENDATION:

None. For information.

W. Hayes  
O.P.M. - D.D.A.  
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per FOIA Request

# Reticence of Negro Leaders In Civil Liberties Cases Scored

By Wallace Terry  
Staff Reporter

A George Washington law professor yesterday assailed Negro leaders for failing to take a stand on civil liberty issues when they do not directly involve race relations.

Before some 200 persons in Andrew Rankin Chapel on the Howard University campus, Monroe H. Freedman urged the Negro leader to protest violations of civil liberties "regardless of whether he is personally injured."

He singled out opposition in the Negro community here to the Supreme Court's ruling last year against an officially prescribed prayer in public schools as an illustration of the Negro's "betrayal" of civil rights.

The lecture by Freedman, an associate professor, was sponsored by Howard's undergraduate chapter of Omega Psi Phi Fraternity.

This predominantly Negro

social group emphasizes things about support from scholarship and includes in its

graduate membership a number of Negro leaders such as Morehouse College president Benjamin Mays and Housing and Home Finance Agency

Administrator Robert C. Weaver.

Freedman pointed out that a Washington Afro-American editorial last year attacked a request by the Jewish community to end prayer in District schools.

Several Negro ministers have voiced support of prayer in local schools.

Freedman noted that one local Negro leader has said that the Negro can depend upon the Jewish community for help in his civil rights struggle.

But "unfortunately" when the Jewish Community Council asked for an end to prayers in public schools, he said, it "could not say the same

This is not to imply that Negroes owe a favor in return to Jews, he emphasized.

"The only debt you owe is to yourself," Freedman declared, "to recognize that there is more to the Constitution than the Fourteenth Amendment protection of Negro rights."

He extended his criticism to the failure of Negro civil rights leaders to aid in cases where persons have been prosecuted for selling what police called obscene literature. He said these same leaders did not support those accused of publicly attacking the Jewish or Catholic communities or for holding meetings not advocating violence under Communist Party sponsorship.

The NAACP relied on such cases when it fought before the Supreme Court the attempts of the State of Virginia to outlaw its activities, Freedman asserted.

"Yet every one of those cases had to be won without the help of Negro civil rights leaders," he said.

"When a man fights for civil rights only when he is directly involved," Freedman added, "his real concern is himself, and not the Constitution, the Bill of Rights, or his fellow man."

"Negro civil rights leaders, like everyone else, should be civil libertarians regardless of race or color."

Freedman, who is also a consultant to the U. S. Civil Rights Commission, criticized the District Recreation Department in 1961 for sponsoring Christmas parties on local playgrounds because they "violate the principle of separation of church and state."

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ENCLOSURE

*A. Freedman*  
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UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Bishop 160/6

DATE: 12-14-67

FROM : M. A. Jones

SUBJECT: MONROE HENRY FREEDMAN  
PROFESSOR  
THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

## BACKGROUND:

The December 11th issue of "The Evening Star" reported that Freedman advocates civil disobedience as a means of protesting the Vietnam war and said free men must put the law below their own sense of morality.

Mac

Sum

## INFORMATION IN BUFILES:

Freedman graduated from Harvard Law School in 1958 and was employed as an Assistant Professor of Law at The George Washington University Law School. In 1959 he was a consultant to Senator John L. McClellan concerning labor laws.

While at Harvard Law School, Freedman received the publication of the National Lawyers Guild (NLG), and he admitted membership in that organization from 1954 to 1956. He claimed he quit the National Lawyers Guild when an undisclosed reliable source told him it was communist dominated. It is interesting to note that this self-serving statement was made in an application submitted to the Civil Rights Commission on May 27, 1960, and seems inconsistent since he also admitted knowing that the NLG had the reputation of being a communist front when he joined.

Freedman has been a member of the National Association for the Advancement of Colored People and the Washington affiliate of the American Civil Liberties Union. MOT He has been extremely outspoken, and his irresponsible mouthings have received an inordinate amount of publicity.

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In 1961 former Assistant Director Stanley J. Tracy advised he had heard Freedman was highly critical of the Bureau in private conversations.

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1 - Mr. Bishop

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M. A. Jones to Bishop memo  
RE: MONROE HENRY FREEDMAN

In 1961 he criticized the District Recreation Department for sponsoring Christmas parties on local playgrounds because they violated the principle of separation of church and state. He also criticized Negro leaders who opposed the Supreme Court's ruling barring prayer in public schools. In 1960 he subscribed to "Studies on the Left," described as a publication for younger men with radical views.

In 1964 he signed a petition urging the abolition of the House Committee on Un-American Activities.

In 1966 Freedman sponsored the formation of a chapter of the Students for a Democratic Society at The George Washington University.

Freedman is presently acting as attorney for the W.E.B. DuBois Clubs of America in their attempt to enjoin proceedings before the Subversive Activities Control Board.

Freedman has had a running feud with U. S. Attorney David G. Bress, Washington, D. C. Freedman has been quoted as saying it would be permissible in some cases for an attorney to lie to the court and jury to protect his client. He also defended the proposition that an attorney should allow his client to commit perjury. He has accused Bress of condoning police misconduct to maintain good police relations and using unethical means to gain convictions.

RECOMMENDATION:

For information.

*J*

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*TSB*

*J*

## Morality Put Above Law By War Foe

Monroe Freedman, the George Washington University Law School professor who advocates civil disobedience as a means of protesting the Vietnam war, said yesterday that the law has become "a golden cage" which free men must put below their own sense of morality.

Freedman announced earlier this month that he will try to disrupt recruiting by military and industrial representatives who visit the GWU campus. Yesterday he told an audience of 200 students attending a symposium here that he saw nothing inconsistent about a law professor violating the law.

Appearing on a panel with Yale law Prof. Thomas Emerson, syndicated columnist James Kilpatrick, lawyer Phillip Hirschkopf and Frank Nebeker of the appellate section of the U.S. attorney's office, Freedman said that by civil disobedience he would show "concern with those few laws that involve a denial of the fundamental values the law is supposed to protect."

He charged that dissent against the war had been stifled in the press and courts, and that civil disobedience was the only avenue left open to dissenters, which he characterized as "a betrayed majority" of the country's population.

Other members of the panel disagreed with Freedman. Kilpatrick, whose column appears in The Star, contended that the United States was justified in taking measures against protesters who violated the laws because "the state has a right to survive."

The symposium, sponsored by the law schools of Georgetown, Howard, and George Washington universities, and the Legal Aid Societies of American and Catholic universities, was held in the New Senate Office Building.

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*B. J. F.*

## City Brutality, Perjury Allegations

# Lawyer Freedman Accuses Bress Of Condoning Misconduct by Police

By Paul W. Valentine

Washington Post Staff Writer

Civil rights attorney Monroe H. Freedman charged Washington's chief prosecutor yesterday with condoning police misconduct to insure good relations with the Police Department.

The accusation came in a final salvo of words the two men fired at each other in informal statements to be published soon.

Freedman charged U.S. Attorney David G. Bress with dragging his feet in grand jury investigations of two cases, one concerning alleged police brutality and the other perjury.

Bress replied yesterday that both cases were presented to the grand jury by "competent men on my staff" and thoroughly

See FREEDMAN A7 Col. 1



Freedman

The Washington Post

Bress

... debate Grand Jury action

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FREEDMAN—From A1

# Freedman Claims Prosecutor Condones Police Misconduct

reviewed before the secret jury and unlawful arrest after panel voted not to indict.

One case involved the recent mistrial of former Airman Michael Norman, a 21-year-old Negro charged with assaulting a white police officer last summer in a tense street confrontation between Cardozo area residents and police.

Norman denied striking the officer and testified that he was beaten by two other white policemen.

The other case involved two white officers, Walter J. Franek and Donald Griffin, who were found guilty last spring by a police Trial Board of making untruthful statements about their reasons for arresting two Negro men in the company of a white woman.

Bress noted yesterday in replying to Freedman that the grand jury actually invited NAACP Executive Secretary Edward A. Hailes to testify last December about alleged brutality in the Norman incident.

And in the Franek-Griffin case, he said, the grand jury voted against charges of per-

secution before the secret jury and unlawful arrest after reviewing the matter in January.

Freedman's accusations came in response to statements by Bress to be published soon in a running debate here about legal ethics.

Freedman, chairman of the National Capital Area Civil Liberties Union, delivered an address in January in which he said there are rare and extraordinary circumstances when a defense lawyer may find it necessary to "lie to the court" in order not to divulge the confidences of his client.

Bress wrote a rebuttal charging Freedman's views "are contrary to the canons of professional ethics."

Bress said, "Under no reasonable interpretation (of the canons of ethics) can the attorney-client privilege justify using perjured testimony of a nonclient."

He said it is "inconceivable that ethical counsel would call to the witness stand, other than his client, one whom he knows will commit perjury. Prof. Freedman does not undertake to defend such a tactic.

Plainly, the prosecutor may not stoop so low. Counsel for the

defense ought not be allowed to do so, either.

Freedman then wrote a response to Bress that included his accusations on foot-dragging on the prosecutor's office and suggested that, before Bress gets "holier than thou about defense ethics, he take a hard, honest look at the ethics of his own office — and do something about it."

Freedman said, "The prosecutor sometimes finds himself compelled either to present charges against members of the Police Department for brutality or perjury — which impairs cooperation — or to condone or cover up police crimes, which is unethical. Unfortunately, in at least two recent cases, Mr. Bress' office appears clearly to have chosen the latter course."

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referred to the U.S. Attorney's office for possible presentation to the grand jury on the question of perjury and unlawful arrest.

It lay dormant for six months while CORE Chairman Rowena Rand corresponded sporadically with the prosecutor's office in an effort to get action. CORE charged that the arrests were made because the Mills brothers were with the white woman.

#### June Publication

The Freedman-Bress remarks are to be published in the June issue of the Michigan Law Review.

Freedman's address in January set off a flurry of controversy, upset several local Federal judges and became a subject of study before the Committee on Admissions and Grievances at U.S. District Court.

Committee activities are secret, but a reliable source reported that the panel voted to drop any complaints against Freedman. A dissenting committee member, however, transferred the case to District Judge William B. Jones for further scrutiny, and the committee has not taken final action yet.

In the Franek-Griffin case, the two officers arrested Negro brothers Marshall and Lewis Mills with a white woman in the 800 block of Mt. Vernon Place nw. at about 4:30 a.m. on Nov. 14, 1964.

They charged the brothers with disorderly conduct. At the trial, they said, they stopped the two for questioning because a radio broadcast for two robbery suspects minutes earlier gave descriptions matching theirs. The police log revealed, however, that no such transmissions had been recorded. The brothers were acquitted.

#### Police Found Guilty

The Washington chapter of the Congress of Racial Equality (CORE) called for a police Trial Board which, on June 16, 1965, found Franek and Griffin guilty of making untruthful statements. Franek was fined \$125, Griffin \$100.

The case was subsequently

referred to the U.S. Attorney's office in an effort to get action. CORE charged that the arrests were made because the Mills brothers were with the white woman.

In January, Assistant U.S. Attorney John C. Conliff Jr. presented the case to the grand jury. He said yesterday he recalls that the case took two days and was thoroughly examined before the jury voted not to indict. He could not recall if the Mills brothers testified or if a transcript of their testimony at the disorderly-conduct trial was merely read into the record, "but it had to be one or the other," he said.

Conliff said there is a distinction between the Trial Board finding of untruthful statements and the indictable offense of perjury, the latter requiring "corrupt intent" for proof.

#### The Norman Case

In the Norman case, the NAACP charged that officers beat Norman with their nightsticks and nearly set off a riot when hostile residents in the 1300 block of Park Road nw. gathered. The NAACP also charged that at least two other persons were beaten later at the Tenth Precinct station house.

Hailes was called before the grand jury to present his charges. He said he had witnesses to brutality but declined to reveal their names because he said they feared reprisals. The predominantly Negro grand jury then voted to indict only Norman.

At his trial in March, a jury of six Negroes and six whites reported it was deadlocked and a mistrial was declared. A court source said the vote was 10 to 2 for acquittal.

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# Letters

## ABOUT R. KENNEDY

TO THE EDITOR:

It is disheartening to see a journalist of Anthony Lewis's subtlety and insight turn out hack campaign publicity in the guise of objective reporting ("What Drives Bobby Kennedy," April 7). For example, the criticism of Mr. Kennedy as Congressional Committee counsel was not that he had "too little respect for procedural niceties" (as stated by

Mr. Lewis), but that he abused witnesses in a manner so gross as to disclose neither understanding of nor respect for the fundamental fairness of Constitutional due process. Mr. Lewis lays bare the Attorney General's deep emotional commitment to civil rights, but unfortunately the journalist's private information has diverted his attention from his subject's public performance. Under the Attorney General's thumb, the Commission on Civil Rights has been squashed to a useless pulp. Three times the Commission's long-overdue hearing in Mississippi has been postponed, and it is apparent now that no Mississippi hearing will be held while this "restrained and pragmatic man" holds power.

We are also told that the Civil Rights Division of the Justice Department has come to life, but the gains, as compared with the vast areas that remain untouched, are so minimal as to make such an assertion disingenuous at best. Voting discrimination is virtually unaffected despite a handful of dramatic cases, and numerous episodes of official vio-

lence—evidenced by sworn complaints and public testimony—have gone unpunished. This is not the fault of the attorneys in the Civil Rights Division. The fact is that the Division, even with one or two dozen additions, remains so badly understaffed as to be useful only for showcase purposes. If there is anyone more to blame for this than the President himself, it is his Attorney General.

MONROE H. FREEDMAN

Associate Professor,  
The George Washington  
University

Washington, D. C.

The author replies: "I am sorry that Professor Freedman does not agree with my conclusions on Robert Kennedy. His first criticism, of course, misses the point of my piece, which was that Kennedy has changed since the McClellan Committee days. The rest of the letter deals with civil rights, and I can only say that I disagree with him wholeheartedly. This Administration has brought 11 voting suits in Mississippi in two years, compared with none in the previous Administration. Its officials have risked physical injury in Alabama and Mississippi, have joined in planning with the Negro and civil rights groups. Of course, the South has not changed overnight. But a lot has changed. If Professor Freedman thinks all wrongs can be cured in a day, or if he thinks hearings do more good than the hard, often frustrating work of litigation, he should give up his academic gown for a soapbox."

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per FOIA Request

The Washington Post and Times Herald  
The Washington Daily News  
The Evening Star  
New York Herald Tribune  
New York Journal-American  
New York Mirror  
New York Daily News  
New York Post  
The New York Times *MAGAZINE*  
The Worker  
The New Leader  
The Wall Street Journal  
The National Observer  
Date

APR 28 1963

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

## *Memorandum*

TO : Director  
: Federal Bureau of Investigation

DATE: December 19, 1967.

*J. Walter Yeagley*  
FROM J. Walter Yeagley  
Assistant Attorney General  
Internal Security Division  
SUBJECT: MONROE H. FREEDMAN  
OBSTRUCTION OF RECRUITMENT

03/07/10  
5. *E. S. P. A. C. I.*

An article appeared in the Sunday issue of the Washington Evening Star dated December 3, 1967, entitled "Student Group Acts to Block Dissenter Draft." This article stated that Monroe H. Freedman, a George Washington University law professor, in a letter to the University newspaper, The Hatchet, says he intends to interfere with military and civilian recruiters on the campus. In his letter, Freedman states that he will "commit deliberate and prolonged interference with the legitimate activities of some recruiters and solicitors on campus." According to the article, he urged other faculty members to join him.

Since interference with military recruiters could possibly be in violation of 18 U.S.C. 2388, we would appreciate receiving all information concerning any such activity conducted by Freedman or any of his associates.

## Attachment

**ENCLOSURE**

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Star

12/3/67

## Student Group Acts to Block Dissenter Draft

By BARRY KALB  
Star Staff Writer

The National Student Association says it will ask the U.S. District Court tomorrow for a temporary federal injunction against a recent Selective Service order to reclassify and speedily draft young men who interfere with draft procedures.

Selective Service Director Lt. Gen. Lewis B. Hershey issued a recommendation Oct. 26 to local draft boards that persons who attempt to hinder the efforts of military recruiters or otherwise disrupt draft procedures be declared delinquents and put at the top of the draft lists.

The student group yesterday said it will file a complaint charging that this directive violates the constitutional rights of such students and has a "chilling effect" on legal dissent. The file for a permanent injunction against this and similar directives.

The student group will be joined in the suit by 19 other parties, including several university student body presidents.

### Professor Leads Lawyers

The plaintiffs will be represented by a battery of lawyers led by Arthur Kinoy, a professor of constitutional law at Rutgers University and a volatile defender of citizens' rights.

Similar suits were filed Friday in federal courts in New York City; Camden, N.J.; Salt Lake City, Utah, and Seattle, Wash., on behalf of six young men who have recently been reclassified as a result of Hershey's directive.

The NSA suit, however, has no connection with these suits, and will name no individual plaintiffs. Ed Schwartz, NSA president, said yesterday:

"We are filing this suit on behalf of a class of people — students — particularly those whose desire to dissent in any way from government policy in Vietnam has been threatened."

### Resolution Cited

Schwartz said that by filing this suit NSA is not encouraging interference with military recruiters. He cited a resolution passed by the association's National Supervisory Board here last Sunday, which states:

"... NSA opposes those actions physically obstructing recruiters and students which have been placed in related protests against the war... (however) we also strongly condemn Gen. Hershey's recommendation that 'students who engage in illegal protests against the war and draft... should be reclassified.'

Schwartz said the association will argue that Hershey's directive has "intimidated" students who wish to protest the Vietnam War and the draft.

Schwartz said the suit also will argue that, by setting itself up as judge and jury in classification cases, the Selective Service System denies constitutional guarantees of due process.

"The purpose of the Selective Service should be to induct men into the armed services, not to make distinctions between various forms of dissent and determine whether such dissent is in the national interest," Schwartz said.

### Professor Plans Protest

In a related development, Monroe H. Freedman, a George Washington University law professor, in a letter to the university newspaper, "The Hatchet," says he intends to interfere with military and civilian recruiters on the campus.

The letter, dated Nov. 21, was read by Freedman Friday at a press conference on the subject of draft resistance activities. In the letter, Freedman says he will "commit deliberate and prolonged interference with the legitimate activities of some recruiters and solicitors on campus." He urged other faculty members to join him.

The letter seemed to be an open defiance of a new GWU policy, approved last month by President Lloyd Elliot, which threatens "penalties up to and including expulsion from the university" for students engaging in anti-recruitment activities.

ENCLOSURE  
62-106967-4

Federal Bureau of Investigation  
Records Branch

19

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## Type of References Requested:

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Subject Marroe H. Freedman  
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	<u>62-111025-1EP12</u>	
	<u>61-190-1136</u>	
	<u>-1192</u>	
	<u>62-102241-A DOC 7/27/65</u>	
	<u>66-3761-590</u>	
	<u>77-97722-73</u>	
	<u>100-7321-962EP98</u>	
	<u>100-7321-1037</u>	
	<u>-1693EP59</u>	
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	<u>100-433447-575EP5</u>	
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Marroe Henry  
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1 - Mr. Floyd  
1 - Mr. Brennan  
1 - Mr. Czarnecki

SAC, WFO

1/19/68

Director, FBI

MONROE HENRY FREEDMAN  
SM - MISC

⑩ Enclosed herewith is a newspaper article entitled "Monroe Freedman 'An illegal and unjust war'" which appeared in the December 28-31, 1967 edition of the "Examiner," a Washington, D. C. newspaper.

In view of recent information indicating anti-Vietnam and antidraft sympathies on the part of Freedman you are to review your files for available information concerning Freedman. Set forth pertinent information available in a letterhead memorandum suitable for dissemination and at the same time furnish your evaluation as to whether further action is warranted.

Enclosure

SSC:emc

(6)

NOTE:

Freedman is a professor of law George Washington University. He has been outspoken in anti-Vietnam and antidraft matters. He has been a member of the American Civil Liberties Union in the District of Columbia.

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of a distant country in order to impose our will, our policies, and our culture on a nation whose own traditions go back 2,000 years. We are the only foreign aggressor within the borders of Vietnam.

Third, the war is being fought by unjust means. We are methodically destroying crops, livestock, and entire villages. We have created over two million refugees and we are adding to that number at a rate of well over 1,000 each day. These people are almost all being neglected, left without food, shelter or medical attention. We are carrying on militarily useless bombings, strafings, and shellings in South Vietnam as well as North Vietnam.

Also, against civilians we are using fragmentation bombs, toxic chemicals, and jellied gasoline which is made to cling to the flesh. We are executing prisoners and using tortures such as drowning, suffocation, maiming and application of painful electrodes. Also in violation of rules of war, our troops are committing widespread mutilation of dead bodies.

The result of all of this is the brutalization of our own men, instilling in them the idea that human life is cheap and human suffering inconsequential.

*Q: As a professor of law, shouldn't you be expected to set an example by obeying the law?*

A. I was a free man with moral responsibility before I ever was a lawyer. I don't see any inherent inconsistency between the two roles. But if there is, I would say that it is far better for a lawyer on rare occasions to break the law than for a man in all instances to put the law above his conscience, his religious beliefs, or his moral convictions.

Remember that at Nuremberg the United States helped teach the world that there are such things as crimes of war and crimes against humanity. Nuremberg taught us that everyone has a personal responsibility for making a moral judgement on such matters. We cannot say, "I only followed orders. The policies were set by others."



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## Letters to the Editor A14

### Civil Consistency

Your Dec. 30 editorial on "The Limits of Protest" credits my position on civil disobedience with being "intellectual," but you imply that it is contrary to "common sense and traditions." On the contrary, however, civil disobedience is consistent with our traditions and, with respect to the war in Vietnam, is demanded by common sense as well as morality.

Civil disobedience can be illustrated in revered tradition in the Old and New Testaments (Isaiah, Jeremiah and Jesus), in ancient Greece, in English history, and in American history (the Boston Tea Party, the Abolition and Women's Suffrage movements, and the labor movement).

Common sense demands protest by civil disobedience because our participation in the war is such a monstrous atrocity, because the urgency is one involving innumerable human lives and deaths, and because the alternatives ordinarily available for lawful protest have been substantially frustrated.

You display great concern over minimal breaches of the peace, such as draft card burning, when they occur in the United States. Yet you accept

with equanimity the egregious violations of law and brutality and devastation committed by the United States against the people of Vietnam. Thus, one purpose of civil disobedience has been served: It has made manifest the hypocrisy of those who preach law and order at home while practicing lawlessness and violence in Vietnam.

Please tell us, once and for all, what are the limits on the methods that can properly be used, here and in Vietnam, in pursuit of peace?

MONROE H. FREEDMAN  
Washington

J. C. ...  
 J. C. ...  
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The Washington Post \_\_\_\_\_  
 Times Herald \_\_\_\_\_ A14  
 The Washington Daily News \_\_\_\_\_  
 The Evening Star (Washington) \_\_\_\_\_  
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 The Worker \_\_\_\_\_  
 The New Leader \_\_\_\_\_  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 People's World \_\_\_\_\_

Date JAN 10 1968

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535

~~CONFIDENTIAL~~

In Reply, Please Refer to  
File No.

FEB 13 1968

MONROE HENRY FREEDMAN

"The Washington Post," a daily newspaper published in Washington, D. C. (WDC), in the December 2, 1967 edition in an article captioned, "GW Professor Defies Campus Protest Rules," reported that George Washington University (GWU) Law Professor Monroe Freedman announced December 1, 1967 that he intended to violate University policies governing campus protests. The article quoted a letter Freedman had written to the GWU student newspaper (The Hatchet), wherein he said "I intend to commit . . . 'deliberate and prolonged interference with the legitimate activities' of some recruiters and solicitors on campus." The letter urged other faculty members to do likewise in protest against the Vietnamese war. This article described Freedman as a former chairman of the National Capital Area Civil Liberties Union, and reported that Freedman said he would try to obstruct campus recruiters for the military services, Dow Chemical Company, or other agencies or firms engaged in the war effort.

The December 28-31, 1967 edition of the "Examiner," a WDC newspaper, reported an interview with Freedman, wherein Freedman described the present war in Vietnam as illegal and unjust. The article quotes Freedman as saying that he had counseled and aided young people to avoid the draft and he would continue to do so.

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My Letter  
per FOIA Request Jt*

*Freedman*  
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GROUP 1  
Excluded from automatic  
downgrading and  
declassification.

*6/16/75  
declassified  
per 3342*

ENCLOSURE

100-106969-*J*

MONROE HENRY FREEDMAN

On January 12, 1968, Freedman was one of a group picketing at the Department of Justice in protest against the indictments against Dr. Benjamin Spock, Reverend William Sloan Coffin, Michael Ferber, Marcus Raskin, and Mitchell Goodman.

After the picketing, a group of eight individuals, including Freedman, met with Department of Justice officials. At this meeting Freedman criticized the Department of Justice for indicting these individuals while not taking action against illegal conduct in Vietnam. He said that he wanted to convey to the Attorney General his plea that the Boston indictments be voluntarily dismissed by the Department of Justice. He said that they are a blot on the American system of justice; that the defendants had done nothing other than to express their protests against an unjust war, which were acts of the highest morality, and that they should not be indicted and convicted for so doing. He said that the penalties which might be visited upon the defendants under Section 462 of Title 50 of the United States Code - five years imprisonment and a \$10,000 fine - were entirely disproportionate to the kind of conduct in which they had engaged inasmuch as their activity was non-violent and they did not resort to other extreme forms of anti-social activity. He said the indictment represented an attempt to intimidate protest.

Freedman said that he wanted to discuss the legality of the conduct of the war in Vietnam, which he said violated the Geneva Conventions, the United States Constitution, and the United Nations Charter.

Freedman said he wanted to make clear his support for the young men who are resisting the draft; that he did not have a draft card to turn in because he had never registered and, further, he had willfully refused to register for the draft and would continue to do so.

B APPROX [redacted]

[redacted] One of the picketers, on January 12, 1968, [redacted]  
[redacted], age [redacted] left a memorandum, dated January 12, 1968, directed to Attorney General Ramsey Clark with Department

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Per FOIA Request

MONROE HENRY FREEDMAN

of Justice officials, which memorandum set forth in detail [redacted] moral and political objections to the Selective Service System. On the back of this memorandum was written in longhand, "I hereby express my approval of what [redacted] [redacted] has said and done," Monroe H. Freedman.

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The Sunday edition of "The Washington Post," dated August 6, 1967, reported the formation of a new local group known as "The Committee for Emergency Support," composed partly of Vietnam Summer anti-war protesters. The purpose of the group was to provide assistance for anyone affected by a local disturbance. The article reported Freedman would be available to provide legal aid for those who need it. The article quotes him as saying in some cities prisoners spend as long as ten hours in jail without trials.

"The Evening Star," dated March 21, 1967, a daily newspaper published in WDC, reported that ninety law professors and authorities on constitutional law signed a request that the House of Representatives investigate its own House Un-American Activities Committee. According to the article, this request was made in a letter prepared by Professor Vern Countryman of the Harvard Law School, which letter was directed to the Administration Committee.

Source One, who has furnished reliable information in the past, on April 4, 1967 made available a printed document published by the National Committee to Abolish the Un-American Activities Committee (NCAHUAC), which leaflet contained a copy of the letter which Professor Countryman had directed to the House Administration Committee. This letter reflects that Monroe H. Freedman, Professor, GWU Law School, was one of the signers.

NCAHUAC is described in an attachment to this memorandum.

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FOIA Request

MONROE HENRY FREEDMAN

"The Evening Star" stated November 11, 1967, page B-3, in an article captioned, "Morality Put Above Law By War Foe," reported that at a symposium held November 10, 1967 at the New Senate Office Building sponsored by the law schools of Georgetown, Howard, and George Washington universities, and the Legal Aid Societies of American and Catholic universities, Monroe Freedman, GWU Law School Professor, said that the law has become "a golden calf" which free men must put below their own sense of morality. According to the article, Freedman charged that dissent against the war had been stifled in the press and courts, and that civil disobedience was the only avenue left open to dissenters, which he characterized as "a betrayed majority" of the country's population. He told an audience of 200 students attending the symposium that he saw nothing inconsistent about a law professor violating the law, and that by civil disobedience he would show "concern with those few laws that involve a denial of the fundamental values the law is supposed to protect."

Source Three, who is in a position to furnish reliable information, in December, 1966, advised that Professor Monroe Freedman was at that time acting as faculty advisor for a group of six GWU students who held a probationary charter from the Students for a Democratic Society (SDS).

The SDS is described in an attachment to *Freedman* this memorandum.

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"The Worker," an East Coast ~~per se Communist~~ newspaper, for December 8, 1964, pages three and six, reported that 100 constitutional law authorities have petitioned the House of Representatives to abolish the Committee on Un-American Activities. Included in this group was Monroe H. Freedman, Associate Professor, GWU Law School.

Source Four, who was in a position to furnish reliable information, advised on November 28, 1960 that Monroe Freedman, GWU Law School, was on the subscription list to receive Volume I, Issue Number Three of "Studies on the Left" (SOTL).

SOTL is described in an attachment to this memorandum.

MONROE HENRY FREEDMAN

Source Two, who has furnished reliable information in the past, on December 14, 1966 learned that the Washington Area Committee for the Abolition of the House Un-American Activities Committee (WACAHUAC) were attempting to organize a meeting of civil rights leaders in the WDC area to obtain their support in getting the incoming Congress to legislate against House Un-American Activities Committee. Monroe Freedman agreed to try and obtain the support of several local civil liberties attorneys and indicated that he, personally, would be willing to head this delegation to go and see the Speaker of the House, John McCormack.

WACAHUAC is described in an attachment to this memorandum.

The "New York Times" newspaper, dated April 27, 1967, page 29, in an article captioned, "DuBois Clubs Challenge 'Front' Registration Law," reported that on April 26 the W.E.B. DuBois Clubs asked United States District Court, WDC, to determine the constitutionality of the law requiring certain groups to register as "communist front" organizations and for permanent injunction to bar the Subversive Activities Control Board from requiring them to register. The article stated the suit filed by the American Civil Liberties Union contends the "real purpose of the government action is to discourage young Americans from joining the groups," Civil action docket Number 1087-66, Clerk's Office, United States District Court for the District of Columbia, reflects that Monroe Freedman was one of the attorneys of record representing the W.E.B. DuBois Clubs in this suit.

W.E.B. DuBois Clubs is described in an attachment to this memorandum.

*Freedman*  
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Per FOIA Request *JG*

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APPENDIX

NATIONAL COMMITTEE TO ABOLISH  
THE HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

The "Guide to Subversive Organizations and Publications," issued December 1, 1961, by the Committee on Un-American Activities, United States House of Representatives, Page 115, contains the following citation regarding the National Committee to Abolish the Un-American Activities Committee (NCAUAC):

"Cited as a 'new organization' set up in the Summer of 1960 to lead and direct the Communist Party's 'Operation Abolition' campaign. Seven of the national leaders of this group have been identified as communists.

"(Committee on Un-American Activities, House Report 1278 on the Truth About the Film 'Operation Abolition,' Part 1, October 3, 1961, page 5)"

A source has advised that the NCAUAC changed its name on March 3, 1962, to include the word "House" in its name, thereby becoming known as the National Committee to Abolish the House Un-American Activities Committee (NCAHUAC). A national meeting of this organization was held in Chicago, Illinois, on April 27 and 28, 1963.

A second source advised on May 11, 1967, that as of that date the NCAHUAC continued to function with headquarters at 555 North Western Avenue, Los Angeles, California.

~~CONFIDENTIAL~~

## APPENDIX

### STUDENTS FOR A DEMOCRATIC SOCIETY

The Students for a Democratic Society (SDS), as it is known today, came into being at a founding convention held at Port Huron, Michigan, in June, 1962. The SDS is an association of young people on the left and has a current program of protesting the draft, promoting a campaign for youth to develop a conscientious objector status, denouncing United States intervention in the war in Vietnam and to "radically transform" the university community, and provide for its complete control by students. Gus Hall, General Secretary, Communist Party, USA, when interviewed by a representative of United Press International in San Francisco, California, on May 14, 1965, described the SDS as a part of the "responsible left" which the Party has "going for us." At the June, 1965, SDS National Convention, an anti-communist proviso was removed from the SDS constitution. In the October 7, 1966, issue of "New Left Notes," the official publication of SDS, an SDS spokesman stated that there are some communists in SDS and they are welcome. The national headquarters of this organization as of April 18, 1967, was located in Room 206, 1608 West Madison Street, Chicago, Illinois.

~~CONFIDENTIAL~~

## STUDIES ON THE LEFT (SOTL)

The "Wisconsin State Journal," a daily newspaper published at Madison, Wisconsin, on November 26, 1959 announced that a new scholarly magazine, "Studies On the Left," a historical review dedicated to the leftist point of view, edited by present and former graduate students at the University of Wisconsin (UW), but having no connection with the UW itself, would begin publication soon.

Records of the Wisconsin Secretary of State reflect SOTL was incorporated under laws of Wisconsin July 16, 1959 as a non-stock, non-profit corporation with headquarters P.O. Box 2121, Madison, Wisconsin. Three issues were published during the period December, 1959 to November, 1960. The first issue contained a policy statement of the editors stating SOTL was primarily a magazine for national circulation designed to give younger men with radical views a place to voice their opinions.

Publicly listed [redacted] SOTL's Editorial Board SAUL LANDAU, [redacted]

[redacted] have been identified by sources previously as having participated in the activities of the Labor Youth League (LYL); while

[redacted] have been identified as active members of the Communist Party (CP). Another source has identified LANDAU and [redacted] as handling the finance and business affairs of SOTL.

The Communist Party, USA, and the Labor Youth League have been designated by the Attorney General of the United States pursuant to Executive Order 10450.

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## APPENDIX

APPENDIX

WASHINGTON AREA COMMITTEE FOR THE ABOLITION OF  
THE HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

A source advised during June-August, 1961, that the Washington Area Committee for the Abolition of the House Un-American Activities Committee (WACAHUAC) was founded at a public meeting in Washington, D. C., on June 8, 1961, to campaign for the abolition of the House Committee on Un-American Activities (HCUA). Selma Rein was elected Secretary of the WACAHUAC on June 23, 1961, and the organization's policy statement, as rewritten by Joseph Forer, was accepted by the WACAHUAC Executive Board in August, 1961.

A source advised on June 28, 1963, that Selma Rein had resigned as WACAHUAC Secretary and that her replacement would be assisted by Selma Samols. However, source, on May 3, 1967, advised the position of Secretary is currently vacant. At various times during 1966-1967, the source and a second source provided information showing most of the WACAHUAC Executive Board meetings have been held at the home of Ethel Weisser and that Weisser and Samols, along with Ralph Russell, the current Treasurer, actively participate in the affairs of the WACAHUAC.

The first and second source, on May 3, 1967, advised the WACAHUAC is affiliated with the National Committee to Abolish the House Un-American Activities Committee (NCAHUAC).

A third source had identified Selma Rein, Selma Samols and Ethel Weisser as Communist Party (CP) members during the period 1953-1954. The source, in 1953, advised that Ralph Russell was considered by an individual of importance within the CP in the District of Columbia as being a "very good person."

Joseph Forer is one of the attorneys who has represented the CP, USA before the United States Court of Appeals and the United States Supreme Court. In September, 1959, a fourth source advised that a member of the National Committee of the CP, USA had recently referred to Forer as "one of the most important communists in Washington, D. C."

The NCAHUAC is characterized separately in the Appendix.

APPENDIX

W.E.B. DU BOIS CLUBS OF AMERICA (DCA)

A source advised that on October 26-27, 1963, a conference of members of the Communist Party, USA (CPUSA), including national functionaries, met in Chicago, Illinois, for the purpose of setting in motion forces for the establishment of a new national Marxist-oriented youth organization which would hunt for the most peaceful transition to socialism. The delegates were told that it would be reasonable to assume that the young socialists attracted into this new organization would eventually pass into the CP itself.

A second source has advised that the founding convention for the new youth organization was held from June 18-21, 1964, at 150 Golden Gate Avenue, San Francisco, California, at which time the name W.E.B. DuBois Clubs of America (DCA) was adopted. Approximately 500 delegates from throughout the United States attended this convention.

The second source advised in September, 1966, that Mike Zagarell, CPUSA Youth Director, stated that in Negro communities the Party still supported the plan to build "left" socialist centers and to solidify the Party base through the DCA. This source also advised in September, 1966, that Daniel Rubin, CPUSA National Organizational Secretary, stated the Party believes the DCA should have a working-class outlook and be a mass organization favorable to socialism, socialist countries and Marxism, and in April, 1967, advised that Gus Hall, CPUSA General Secretary, indicated the DCA primary emphasis should be on developing mass resistance to the draft.

A third source advised in September, 1967, that Jarvis Tyner was elected chairman of the DCA on September 10, 1967, at the Third National Convention of the DCA held in New York, New York, from September 8-10, 1967.

A fourth source advised during August, 1967, that Jarvis Tyner is a member of the National Committee of the CPUSA.

A fifth source advised on September 21, 1967, that the headquarters of the DCA is located at 34 West 17th Street, New York, New York.



Monroe H. Freedman

Enclosed for your review is a memorandum dated February 13, 1968, concerning Freedman.

(62-106967)

The central files of the FBI, including the records of the Identification Division, contain no additional pertinent information concerning the captioned individual based upon background information submitted in connection with this name check request.

Enclosures (2)

NOTE: Per request of [redacted] Administrative Assistant (Security), for Mr. Lloyd N. Cutler, Counsel to the President.

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b7C

## NUMEROUS REFERENCES

## SEARCH SLIP

Subj: Freedman, Monroe H.

Supervisor \_\_\_\_\_ Room \_\_\_\_\_

R# 541 Date 11/7 Searcher Initial 501Prod. 10FILE NUMBERSERIALHenry

<u>N</u>	<u>9-42397</u>	
	<u>15-9728-5 MF</u>	
<u>N</u>	<u>17-6047-60 p.117<sub>b3</sub></u>	
<u>N</u>	<u>61-8657-183</u>	<u>b7E</u>
<u>N</u>		
<u>N</u>		
<u>N</u>	<u>100-374435-3</u>	
<u>N</u>	<u>121-4406-16</u>	
<u>N</u>	<u>121-4662-23</u>	<u>p.12,23</u>
<u>N</u>	<u>121-6007-2</u>	<u>p.4,12,13,14,15</u>
<u>N</u>	<u>121-12684-14</u>	
<u>N</u>	<u>140-12299-2</u>	

NOV 7 1979R.605

NUMEROUS REFERENCES

## SEARCH SLIP

Subj: Freedman Monroe H.

Supervisor \_\_\_\_\_ Room \_\_\_\_\_

R# 501 Date 11/7 Searcher Initial 501Prod. 22

## FILE NUMBER

## SERIAL

MonroeMP 100-460495-4 Wash Post Times Herald 123-72ST 14-2965-53-19 p.76MP 62-111766-5 H.5ST 62-111181-2345 FST 100-451094-17ST 100-458447-156MP 62-109384-37MP 25-567120 IMP 9-39392 MFMP 25-520132-1043,1055,1025,1047 11/11/67ST 25-520132-4 Wash Post Times Herald 12/11/67MP 95-148697-8XMonroe H.ST 100-7321-1693 enc. p.59  
ST -1733, 1037ST -962 enc. p.98ST 66-3761-590ST Monroe Henry 11/11/67ST 94-4-6127-36, 37MP Monroe, Mo (rel.)MP 100-368232-7NOV 8 1979 X-65

FEDERAL BUREAU OF INVESTIGATION  
Records Branch

, 19

Name Searching Unit, 4543, TL# 115  
 Service Unit, 4654, TL# 225  
 Forward to   TL# 143  
 Attention    
 Return to    
  Supervisor, Room, TL#, Ext.

b6  
b7C**Type of Search Requested:** (Check One)

Restricted Search (Active Index)  
 Unrestricted (Active & Inactive Index)  
 Unrestricted (5 & 30) SEARCH

**Special Instructions:** (Check One)

All References (Subversive & Nonsubversive)  
 Subversive Search NOV 7 1979  
 Nonsubversive Search  
 Main \_\_\_\_\_ References Only  
 Exact Name Only (On the Nose)  
 Buildup  Variations  
 Restricted to Locality of \_\_\_\_\_

Subject Freedman, Whipple H.  
 Birthdate & Place 4-10-128 Mount Vernon N.Y.  
 Address 1641 Madison St., N.W., Wash. D.C.

Localities DC, ill, FAL, MASS, MD, PA, VA, NYR# 547 Date 11/7 Searcher SOIProd. 21 Initials   FILE NUMBER NR SERIAL

<u>ST</u>	<u>Monroe Henry (BV)</u>
<u>ST</u>	<u>140-0-61556 I</u>
<u>ST</u>	<u>100-446997-78-9 I</u>
<u>ST</u>	<u>-8enc.p.11 I</u>
<u>ST</u>	<u>77-104737-8 p.15 I</u>
<u>ST</u>	<u>62-106967-3 sum 12/14/62 I</u>
<u>ST</u>	<u>62-106967 I</u>
<u>ST</u>	<u>Monroe H.</u>
<u>ST</u>	<u>62-111025-1 enc.p.12 I</u>
<u>ST</u>	<u>62-0-A Wash Post Times 5/15/78 I</u>
<u>ST</u>	<u>77-97722-73 I</u>
<u>ST</u>	<span style="border: 1px solid black; padding: 2px;"> </span> b3
<u>ST</u>	<span style="border: 1px solid black; padding: 2px;"> </span> b7E
<u>ST</u>	<u>62-107241-A I</u>
<u>ST</u>	<u>61-190-1192 I. 1136</u>
<u>ST</u>	<u>157-8471-A Wash Daily News</u>
<u>ST</u>	<span style="border: 1px solid black; padding: 2px;"> </span>
<u>ST</u>	<u>100-452826-18</u>
<u>ST</u>	<u>100-463195-A Herald 6/11/74 9/12/71</u>
<u>ST</u>	<u>100-441164-53-27</u>
<u>ST</u>	<u>100-433447-575 enc.p.5</u>
<u>ST</u>	<u>NOV 8 1979 190-2974 81</u>

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b7C

MEMORANDUM

THE WHITE HOUSE  
Washington

11/7/79

TO: FBI, LIAISON

FROM: [redacted]

SUBJECT: FBI INVESTIGATIONS

Subject's Name ~~H~~ FREEDMAN

*Summary*

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b7c

MONROE

*Henry*

Date of Birth 4/10/28

Place of Birth Mount Vernon, N.Y.

Present Address: 100 Ash Drive Roslyn, New York

LISTED IN WHO'S WHO IN AMERICA, LAW, AND INTERNATIONAL

We request: Copy of Previous Report

XX Name Check

Full Field Investigation

NO IRS TO FBI

The person named above is being considered for:

White House Staff Position

XX Presidential Appointment

Attachments:

SF 86 1 2

SF 87, Fingerprint Card

Remarks:

*62-106967-9*

ENCLOSURE